

AMENDMENTS TO THE DRAWINGS

Please amend Figures 1-8 as illustrated on the four (4) accompanying Replacement Sheets.

Attachment: Replacement Sheets

REMARKS

This Amendment, submitted in response to the Office Action dated December 26, 2007, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1-6 are all the claims pending in the application. Claims 1-4 stand rejected. Claims 5-6 have been withdrawn in light of the election without traverse in the reply filed on October 12, 2007.

Objections to the Drawings

The Examiner has objected to the Drawings. Figures 1 and 2 have been amended to be labeled “Related Art”. Applicant respectfully submits that these figures merely disclose conventional related art. Additionally, Figures 3-8 have been amended to overcome the Examiner’s objection. Accordingly, Applicant requests the withdrawal of the objection to the drawings.

Specification Objections

The Applicant has deleted paragraph 27 of the Applicant’s Specification in light of the Examiner’s objection. According, this objection is moot.

Claim Objections

The Examiner has objected to claim 1 due to a minor informality. The minor informality by the Examiner has been corrected. Accordingly, Applicant respectfully requests withdrawal of the claim objection.

Claim Rejections - 35 U.S.C. § 112

Claims 1-4 stand rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has editorially amended claims 1-4, thereby overcoming the claim rejection.

Claim Rejections - 35 U.S.C. § 102

Claims 1 and 3 stand rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Japanese Utility Model 56-95983 (hereinafter “JP ‘983”). Claims 1 and 3-4 stand rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Satzler (U.S. 5,127,714, hereinafter “Satzler”). Applicant respectfully traverses these rejections, and submits that these claims are allowable.

Applicant respectfully submits that the cited references fail to teach or fairly suggest the presence of an adjustment mechanism both at the idler wheel and the wheel. JP ‘983 discloses an adjustment mechanism only at the roller wheel 7 and lacks an adjustment mechanism at the idler wheel. Satzler discloses that the member 40 only changes direction of the rubber track at the idler wheel 26. *See* col. 3, ln. 1 to col. 4, ln. 21, *see* specifically col. 3, ln. 58-62, col. 4, ln. 32-48. For at least these reasons, claim 1 is believed to be allowable. Dependent claims 3 and 4 are believed be allowable at least by virtue of their dependency.

Claim Rejections - 35 U.S.C. § 103

Claim 2 stands rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over JP '983. However, the "level of ordinary skill in the art" does not supply the deficiencies of JP '983 relative to claim 1, and in fact the Examiner has not articulated any basis for such an assertion. Accordingly, claim 2 should be allowable at least by virtue of its dependency.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/SMG/

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Steven M. Gruskin
Registration No. 36,818

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: June 26, 2008